transport and deliver the carload of corn and for negligently failing to take proper care of the corn while in the custody of D. *Held,* the liability of a common carrier continues until notice of the arrival of the goods at their destination is given and a reasonable time in which to remove them is allowed, and as the railroad company had not relieved itself of responsibility as a carrier by giving due notice of the arrival of the goods, it is liable. *Citizens & Marine Bank of Newport News* v. *Southern Ry. Co.* (1910), — N. C. —, 69 S. E. 261.

The question as to when the liability of a carrier as such ends, and its liability as a warehouseman begins, is one that has troubled the courts greatly. There are three views. Some courts hold that when the transit is ended and the goods are stored in the warehouse of the carrier, the liability as a carrier terminates, and it is then liable as a warehouseman. *Norway Plains Co.* v. *B. & M. R. Co.,* 1 Gray 263, 61 Am. Dec. 423; *Kight* v. *Wrightsville & T. R. Co.,* 127 Ga. 204; *Gratior St. Warehouse Co.* v. *St. L., A. & T. H. R. Co.,* 221 Ill. 418; *Hicks* v. *Wabash R. Co.,* 131 Iowa 295, 8 L. R. A. (N. S.) 235. Another class of cases hold that placing the goods in the warehouse does not of itself, discharge the railroad company from liability as a carrier, but that in addition, a reasonable time must be given the consignee after their arrival in which to inspect the goods and take them away in the ordinary course of business. *Moses* v. *B. & M. R. Co.,* 32 N. H. 523, 64 Am. Dec. 381; *Bawdon* v. *Atl. C. L. R. Co.,* 148 Ala. 29; *Mo. Pac. R. Co.* v. *Wichita Wholesale Groc. Co.,* 55 Kan. 525; *Brunson* v. *Atl. C. L. R. Co.* 76 S. C. 9, 9 L. R. A. (N. S.) 577; *Blumenthal* v. *Brainerd,* 38 Vt. 402, 91 Am. Dec. 349. The last class of cases which make up the great weight of authority in this country hold that the liability of a company as a common carrier continues until notice is given the consignee of the arrival of the goods, and he has had a reasonable time in the ordinary course of business in which to remove them. *Mo. Pac. R. Co.* v. *Nevill,* 60 Ark. 375; *United Fruit Co.* v. *N. Y. & B. Transp. Co.,* 104 Md. 567, 8 L. R. A. (N. S.) 240; *Rosenstein* v. *Vogemann,* 184 N. Y. 325; *L. E. & Western R. Co.* v. *Hatch,* 52 O. St. 408; *McGregor* v. *Oregon R. & Nav. Co.,* 50 Ore. 527, 14 L. R. A. (N. S.) 668; *Burr* v. *Adams Exp. Co.,* 71 N. J. L. 263; *Norfolk & W. R. Co.* v. *Stuart Draft Mill Co.,* 109 Va. 184; *McDonald* v. *Western R. Corp.* 34 N. Y. 497; *Walters* v. *D. U. R. Co.,* 139 Mich. 303. The principal case as well as all the others that are decided according to the weight of authority view, hold that as a matter of sound public policy, it is necessary that the carrier's liability as an insurer be continued until due notice of the arrival of the goods is given, and a reasonable time afterwards has elapsed, in order that the shipper or his consignee may be properly protected.

CONSTITUTIONAL LAW—EQUAL PROTECTION OF THE LAW—RIGHT TO HUNT AND FISH.—Under a state law giving authority, a county board of supervisors in Mississippi passed an ordinance for the protection and preservation of game and fish in their county for the purpose of conserving the same "for the use and consumption of the inhabitants," and they made it unlawful for a nonresident to fish in the county. In the prosecution of one Hill for viola-

tion of the ordinance the constitutionality of the state law was questioned. *Held,* the word "inhabitants" means inhabitants of the county, and the law is unconstitutional, since the game and fish belong to the state at large. *State* v. *Hill* (1910), — Miss. —, 53 South. 411.

Game and fish within the borders of the state belong to all the inhabitants of the state, and no person can acquire any absolute title except by capture. *Ex Parte Louis Fritz,* 86 Miss. 210; *State* v. *Buckingham,* 93 Miss. 846; *Harper* v. *Galloway,* 58 Fla. 255; *State* v. *Mallory,* 73 Ark. 236; *Ex parte Kenneke,* 136 Cal. 527. An act making it unlawful for a citizen of one county to fish in another county without a permit from that county, was held unconstitutional as abridging guaranteed rights. *State* v. *Higgins,* 51 S. C. 51. An attempt by the state to allow only taxpayers to take oysters from state beds was held unconstitutional. *Gustafson* v. *State,* 40 Tex. Cr. R. 67. It is clear from the authorities that the state may legislate as it sees fit for the protection and preservation of game and fish as long as all the people of the state are treated alike as to their rights. *Bittenhaus* v. *Johnston,* 92 Wis. 588.

CONSTITUTIONAL LAW—LIBERTY AND FREEDOM OF CONSCIENCE—RIGHT TO WEAR A RELIGIOUS GARB IN PUBLIC SCHOOLS—POWER OF THE LEGISLATURE.—The appellants, public school directors, were indicted for violation of a law of Pennsylvania (act of June, 1895, P. L. 395) that made such directors liable to fine for permitting any teacher to wear, in a public school over which they had control, the garb of a religious order, sect, or denomination. On demurrer to the indictment, the constitutionality of the law was questioned, in that it interfered with freedom in modes of worship, and in effect disqualified persons from holding office, or places of trust or profit on account of their religious sentiments. *Held,* the law is directed against actions, not beliefs, and is constitutional. *Commonwealth* v. *Herr et al.* (1910), — Pa. —, 78 Atl. 68.

The law was passed apparently to do what the court did not do in *Hysong* v. *School District,* 164 Pa. 629; cited in 9 MICH. L. REV. 68. The supreme court there held, when there was no statute on the subject, that it was not unconstitutional to employ in the public schools persons who wore, while teaching, a religious garb. Is the new statute constitutional? A Legislature may pass any law not prohibited to it by the state or federal constitutions. *Com.* v. *McCloskey,* 2 Rawle 369; *People* v. *Lawrence,* 54 Barb. 589. Nothing but a clear usurpation of powers prohibited will justify a court in declaring an act unconstitutional. *Penna. R. R. Co.* v. *Riblet,* 66 Pa. 164. Nor can the court question the motive of the Legislature. *Commonwealth* v. *Moir,* 199 Pa. 534. No legislative body in the United States can pass a law prohibiting the free exercise of religion. *Reynolds* v. *United States,* 98 U. S. 145. However, certain acts which are the result of certain religious beliefs may be prohibited, because the public welfare is involved. *Toncray* v. *Budge,* 14 Idaho 621; *In re Frazee,* 63 Mich. 396. Polygamy may be abolished. *Reynolds* v. *United States,* supra; *Davis* v. *Beason,* 133 U. S. 333. A Jew who would not be sworn in court on Saturday because it was his Sabbath was fined. *Stansbury* v. *Marks,* 2 Dall. 213. Religious organizations may be prohibited